

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.**

Date of first receipt and filing in State Engineer's office MAR 27 1958  
 Returned to applicant for correction \_\_\_\_\_  
 Corrected application filed \_\_\_\_\_

The undersigned Noel E. HULBERT  
 (Name of applicant.)  
 of Gardnerville, County of Douglas  
 State of Nevada, hereby makes application for permission to change the point of diversion  
 \_\_\_\_\_ a vested right as appears at p.29 in  
 of water heretofore appropriated under Proposed Decree, the United States  
 of America, Plaintiff, vs Alpine Land and Reservoir Co., a Corp., et al,  
 Defendants, No. D-183, in the District Court of the U.S., in and for the  
 District of Nevada. (State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)

1. The source of water supply is East Carson River (Hogrefe or Rocky Slough)
2. The quantity of water desired to be changed 0.39 cfs  
(Acre feet, second feet.)
3. The water is to be used for stockwatering, irrigation and domestic purposes
4. The water heretofore used for same
5. Place of use under existing appropriation 28 acres in NW 1/4 SE 1/4  
(Under irrigation give number acres.)  
Sec. 8, T. 12 N., R. 20 E., MDB&M., as used prior to 1900, being  
1888, 1897 and 1900

and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

6. Proposed place of use under this application same as above  
(Under irrigation give number

of acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

7. The water is to be diverted from its source at the following point:  
NW 1/4 SE 1/4 Sec. 9, T. 12 N., R. 20 E., MDB&M or at a point from which the SW  
cor. of said Sec. 9 bears S. 58° 06' W., a distance of 4148 feet  
(Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)
8. The existing point of diversion under the former appropriation is  
NW 1/4 SE 1/4 Sec. 9, T. 12 N., R. 20 E., MDB&M., or at a point from  
as follows: which the SW corner of said Sec. 9 bears S. 51° 04' W., a dist.  
of 4192 feet.  
(If point of diversion is not changed do not answer.)
9. Number and kind of animals proposed to be watered \_\_\_\_\_

10. Use will begin about as decreed and end about \_\_\_\_\_ of each year.  
(Month) (Month)

11. The water has been used heretofore during the months of \_\_\_\_\_  
as set forth in decree of each year

12. Remarks \_\_\_\_\_

13. Description of proposed works Construct concrete structure at point of diversion; construct and clean ditch with necessary culverts under highway to place of use.

14. Estimated cost of works \$1000

15. Estimated time required to construct the works is 3 to 5 years

s/ Noel E. Hulbert Applicant

Compared AM/BB HS/AM

By \_\_\_\_\_

Map Filed May 21, 1958

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of the waters of East Fork Carson River (Hogrefe or Rocky Slough) as set forth in Proposed Findings of Fact, Conclusions of Law and Decree as amended entered by the U. S. District Court of Nevada, Case No. D-183, U. S. of America, Plaintiff, U. S. Alpine Land and Reservoir Co., a corporation, et al, Defendants, is issued subject to the terms and conditions of the Final Decree when entered and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water.

The quantity of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.39 c.f.s. cubic feet per second, or 140 acre-feet per season.

Actual construction work shall begin on or before May 12, 1959

Proof of commencement of work shall be filed on or before June 12, 1959

Work must be prosecuted with reasonable diligence and be completed on or before May 12, 1960.

Proof of completion of work shall be filed before June 12, 1960

Application of water to beneficial use shall be made on or before

May 12, 1961. Proof of the application of water to beneficial use must be filed with the State Engineer on or before June 12, 1961.

PROOF OF COMMENCEMENT OF WORK FILED APR 17 1959

PROOF OF COMPLETION OF WORK FILED APR 17 1959

PROOF OF BENEFICIAL USE FILED APR 17 1959

WITNESS MY HAND AND SEAL this 12th day

of November 1958

CERTIFICATE No. 4905 ISSUED 7/17/59 for 0.39 c.f.s.

RECORDED 8/6/59 BY B PAGE 14

Stanger COUNTY RECORDER

Quintin DePueco Assistant State Engineer